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State Guidance for the Buffer Zone Protection Program

Dear Homeland Security Partners,

Through a partnership between the Governor's Office of Homeland Security (OHS), the Office for Domestic Preparedness (ODP), and the Information Analysis and Infrastructure Protection (IAIP) Directorate, the Department of Homeland Security (DHS), in coordination with OHS, will provide protective action funding to protect and secure critical infrastructure and key resource (CI/KR) sites across the country. This infrastructure protection funding represents a significant commitment by Congress, the President, the California Legislature, and the Governor to better secure America against the threat posed by terrorism.

The Buffer Zone Protection Program (BZPP) is designed to reduce vulnerabilities of CI/KR sites by extending the protected area around a site into the surrounding community and supporting the prevention and preparedness efforts of local first responders. The FY 2005 BZPP grants will provide funding for the equipment and management of these protective actions at CI/KR sites across the State, so that we can better safeguard our State and minimize the potential for terrorist attacks. The BZPP reflects all of the partners' commitment to work closely with the nation's prevention, preparedness, and response communities and the private sector in a unified national effort to combat terrorism and secure our homeland.

Above all other States, California has been provided a unique opportunity with this program. California has twice as many CI/KR sites as any other State in the nation. When this program is successfully implemented in California, we as a State will again prove that California is leading the way for the nation.

Sincerely,

Matthew Bettenhausen
Director

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I. Program Overview

Fiscal Year (FY) 2005 Buffer Zone Protection Program (BZPP) funding will significantly enhance the protection around Critical Infrastructure and Key Resource (CI/KR) sites and deter threats or incidents of terrorism aimed at those facilities. Critical Infrastructure and Key Resources (CI/KR) sites are potential terrorist targets deemed most crucial in terms of national-level public health and safety, governance, economic and national security, and public confidence consequences. The Department of Homeland Security's *National Strategy for the Physical Protection of Critical Infrastructures and Key Assets* notes the complexity of the nation's critical infrastructure and key resources and emphasizes that protecting CI/KR sites is a shared responsibility requiring cooperation among all levels of government – federal, state, local, and tribal – and the involvement of the private sector. Effective security involves response plans that define, identify, and set priorities for the most critical structures and assets that are potential targets for terrorist attacks. To ensure security of these CI/KR sites, state and local governments must develop the best possible protective measures to deter, prevent, prepare, and protect CI/KR sites from a potential terrorist threat or attack.

The BZPP provides enhanced security for select infrastructures and assets based on criteria established annually by DHS with state and local input. Buffer Zone Plans (BZP) are intended to help local law enforcement and first responders develop effective preventive measures that make it more difficult for terrorists to plan or launch attacks from the immediate vicinity of high priority infrastructure targets.

Therefore, the BZPP assists local authorities assess current vulnerabilities at CI/KR sites, develop and implement BZPs to increase the level of protection and act as a deterrent and prevention mechanism of possible terrorist threats or incidents. Upon completion, local authorities in concert with private entities will use the BZPs as a basis for identifying needs and prioritizing resources related to training, information, equipment, and exercise needs necessary for the protection of the identified CI/KR sites.

II. Determination of Eligible Sites

The DHS determined the eligible sites and the funding allocations for the sites. During this process DHS used the Assets in the National Asset Database (NADB) eligible for FY05 BZPP allocations were determined based on the following criteria, which includes sites of national importance and DHS programmatic priorities:

- Banking and Finance: Major financial centers such as primary data storage and processing facilities, major stock exchanges and major banking centers.

- Chemical and HAZMAT: Manufacturing plants and storage and stockpile supply areas (300 sites that, if attacked, could cause death or serious injury to 50,000 or more).
- Commercial Assets: Soft targets, including shopping malls greater than one million square feet and major public gathering places, such as sports stadiums and arenas with seating for 10,000 or more, convention centers, and theme parks.
- Electricity: Key electric substations and grid assets.
- Oil and Natural Gas: Select petroleum refineries.
- Nuclear Power Plants.
- Government Facilities: Office buildings, laboratories and research centers, processing centers, and national icons.
- Transportation: Mass transit systems and rail bridges over major waterways that, if destroyed, would cause significant economic loss.
- Agriculture and Food: distribution facilities, food processors, and producers.
- Information Technology: IT systems, networks, digital control systems, major primary data storage and processing facilities.
- Telecommunications: major telephony hotels, control centers.
- Emergency Services: National Emergency Operations Centers responsible for receiving and disbursing National Strategic Stockpile Supplies at the state level.
- Public Health: medical care facilities, primary blood supply facilities, national stockpile and unique pharmaceutical facilities.
- Postal and Shipping.
- Water: water supply facilities and wastewater treatment facilities.
- National Monuments and Icons: Monuments of National significance.
- Dams: high hazard dams or dams that produce over .5 megawatts of hydropower or provide irrigation to agriculture greater than 10,000 acres or provide for navigation.

III. Buffer Zone Protection Plan Program Guidance

For the Fiscal Year 2005 BZPP the following steps must be completed for each identified site before grant funds may be obligated, drawn down, or expended by the State to the responsible jurisdiction for that site.

- Responsible jurisdictions conduct vulnerability assessment or use existing assessment, if appropriate
 - Coordinate with security management and measures already in place at the facility
- Responsible jurisdictions use template and process to develop a BZP and Vulnerability Reduction Purchasing Plan (VRPP) for identified sites
- Responsible jurisdictions must coordinate the development of the BZP and VRPP with:

- Urban Area Working Groups, if applicable
 - Urban Area Homeland Security Strategies, if applicable
- Upon completion, responsible jurisdictions must submit the BZP and VRPP to the SAA for:
 - Coordination of the BZPP with State Homeland Security Strategies and programs
 - Coordination with related funding programs
- The SAA must submit the completed BZP and VRPP to DHS for review
- Upon approval, the State will be able to drawdown funds and the local first responder jurisdictions will be able to expend funds to implement the BZP

IV. Funding Breakdown for California

The following chart depicts the funding for California by Operational Area:

2005 Buffer Zone Protection Program

Operational Area	No. of Sites	Funding per Site (\$50,000 per site)	3% M&A	Total Funding per OA
Alameda	11	\$550,000	\$16,500	\$533,500
Butte	1	\$50,000	\$1,500	\$48,500
Colusa	1	\$50,000	\$1,500	\$48,500
Contra Costa	11	\$550,000	\$16,500	\$533,500
Fresno	8	\$400,000	\$12,000	\$388,000
Humboldt	1	\$50,000	\$1,500	\$48,500
Imperial	2	\$100,000	\$3,000	\$97,000
Kern	6	\$300,000	\$9,000	\$291,000
Lake	1	\$50,000	\$1,500	\$48,500
Los Angeles	71	\$3,550,000	\$106,500	\$3,443,500
Merced	1	\$50,000	\$1,500	\$48,500
Monterey	1	\$50,000	\$1,500	\$48,500
Orange	23	\$1,150,000	\$34,500	\$1,115,500
Placer	3	\$150,000	\$4,500	\$145,500
Riverside	12	\$600,000	\$18,000	\$582,000
Sacramento	9	\$450,000	\$13,500	\$436,500
San Bernadino	13	\$650,000	\$19,500	\$630,500
San Diego	21	\$1,050,000	\$31,500	\$1,018,500
San Francisco	17	\$850,000	\$25,500	\$824,500
San Joaquin	7	\$350,000	\$10,500	\$339,500
San Luis Obispo	2	\$100,000	\$3,000	\$97,000
San Mateo	6	\$300,000	\$9,000	\$291,000
Santa Barbara	1	\$50,000	\$1,500	\$48,500
Santa Clara	16	\$800,000	\$24,000	\$776,000
Santa Cruz	1	\$50,000	\$1,500	\$48,500
Shasta	2	\$100,000	\$3,000	\$97,000
Solano	5	\$250,000	\$7,500	\$242,500
Sonoma	1	\$50,000	\$1,500	\$48,500
Stanislaus	2	\$100,000	\$3,000	\$97,000
Ventura	2	\$100,000	\$3,000	\$97,000
Yuba	1	\$50,000	\$1,500	\$48,500
Statewide Total	259	\$12,950,000	\$388,500	\$12,561,500

V. Eligible Applicants

Local first responders to the CI/KR sites that are included on the list that DHS prepared and OHS has provided to all of the Operational Areas are eligible participants in the program. Local first responders must complete a BZP and VRPP, once those are approved by DHS, and then local first responder agencies will be able to expend the BZPP funds.

The operational area (OA) will act as the official sub-grantee of the State for the region, but the OA must pass thru the per site amount to the local first responders, so that the responders may purchase the equipment identified in the VRPP.

VI. Roles and Responsibilities

The following is a description of the roles and responsibilities of the OHS, operational area, and the local first responder community related to the BZPP.

Office of Homeland Security

The OHS shall do all of the following:

- Apply for the BZPP from the DHS
- Request training and technical assistance for the local first responder community to help them prepare the BZPs and VRPPs
- Collect, approve, and forward the BZPs and VRPPs to the DHS
- Once the BZPs and VRPPs have been approved by DHS, OHS will:
 - Inform the operational areas that the BZPs and VRPPs for the sites have been approved by DHS
 - Ensure that the funds are available for reimbursement or a 120-day advance to the OAs
- Provide guidance related to the BZPP and grant management advice.
- Ensure that the grant funding is expended in accordance with the terms of the federal grant

Operational Area

OAs must do all of the following:

- Collect all of the BZPs and VRPPs, for the entire OA, and forward the package to the OHS
- Act as the sub-grantee of the State.
 - As sub-grantee, the OA is required to pass thru all of the funding for the individual sites to the first responders that prepared the BZPs and VRPPs.

Local First Responders

Local first responders are responsible for all of the following:

- Conduct vulnerability assessments or use existing assessments, if appropriate
 - Coordinate with security management for measures already in place at the facility
- Use the template process to develop a BZP and VRPP for identified sites
- Coordinate the development of the BZP and VRPP with:
 - Urban Area Working Groups, if applicable
 - Urban Area Homeland Security Strategies, if applicable
- Ensure that the equipment proposed in the VRPP is purchased and installed/used at the site

VII. Allowable Costs

Equipment

Fiscal Year 2005 BZPP funds may be used for equipment acquisition from certain equipment categories (see Chart on Page 6) listed in the FY05 ODP Authorized Equipment List (AEL), which is housed on the web-based Responder Knowledge Base (RKB). BZPs are intended to encourage creative solutions to mitigate vulnerabilities. Therefore, VRPPs that include requests for equipment in the AEL, but not in the suggested equipment categories included on page 20, will be reviewed by DHS for approval on a case-by-case basis. However, all equipment must be included in the VRPP and the VRPP must be submitted and approved by DHS prior to the drawdown or use of any FY05 BZPP funds. The following AEL categories and titles are authorized to use with this program:

AEL Category	AEL Title
2	Explosive Device Mitigation and Remediation Equipment
6	Interoperable Communications Equipment
7	Detection Equipment
14	Physical Security Enhancement
15	Inspection and Screening Systems

Management and Administrative

No more than 3% of the total amount allocated to the state for the BZPP may be retained at the state level and used for M&A purposes related to the FY05 BZPP. These state M&A funds must be included in the total funds retained by the state. In addition, responsible jurisdiction sub-grantees may retain and use up to 2.5% of their sub-award from the state for local M&A purposes. States may pass through a portion of the state M&A allocation to sub-grantees in order to

supplement the 2.5% M&A allocation allowed on sub-grants. However, no more than 3% of the total sub-award may be expended by sub-grantees on M&A costs.

Construction and Renovation

The use of FY05 BZPP funds for construction or renovation, as well as the following activities, is allowable only when it is a necessary component of a security system or target hardening activity at CI/KR sites. Funds may be used for construction and renovation projects only when those projects specifically address enhanced security or target hardening activities at critical infrastructure facilities.

VIII. General Information

Prioritization of Sites

The OHS, as the SAA, could choose to prioritize the sites across the State for funding under the BZPP, however the State has decided not to prioritize sites across the State. Therefore, each site is receiving \$50,000 less the State's share of management and administration of the grant.

- Only the OHS has been given permission by DHS to prioritize the sites in California, no other entity may prioritize sights and distribute funding unequally among the sites in the BZPP.
- We at OHS have determined that we will not prioritize the sites for the FY05 funding and allow 50k per site.

Combining Multiple BZPs into One VRPP

However, responding agencies with more than one site in their respective jurisdictions still have the opportunity to assign additional funding to a site with greater vulnerability. This will occur through the combination of site funds to form one VRPP. If the local first responder organization has more than one site for which it is completing a BZP, they may combine site funds and prepare one VRPP for more than one BZPP site. For example, if the Sacramento Police Department is completing 5 BZPs, but they need \$140,000 to purchase inspection equipment, then the Sacramento Police Department could use three BZPs to support one VRPP that will propose the purchase of the equipment.

Dates to Remember

BZPs and VRPPs due to OHS September 26, 2005